



Municipal Clerk
Atlanta, Georgia

A SUBSTITUTE ORDINANCE
BY: IVORY LEE YOUNG, JR.

04-O-1413
Z-04-79
August 16, 2004

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1155-1175 Lavista Road, N.E.** be changed from the **RG-3 (Residential General Sector 3) District**, to the **MR4 A-C (Multifamily Residential –eight story – Conditional) District**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 5 of the 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

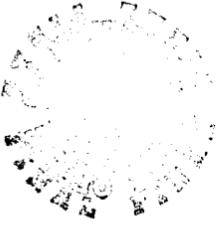
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Doughtin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

DEC 06, 2004
DEC 10, 2004



Conditions for Z-04-79

1. Stormwater runoff retention shall be provided at 20% greater than required by the City of Atlanta;
2. No perimeter fence shall be permitted around the project;
3. The existing four curb-cuts on LaVista Road shall be consolidated into one and a MARTA bus 'pull-off' will be provided subject to City and MARTA approval;
4. Access will be via one driveway consisting of one entry lane and two exist lanes, subject to City approval;
5. A 25-foot wide streetscape shall be developed along the entire LaVista Road frontage consisting of sidewalks, lighting, trees and shrubbery; and,
6. There shall be no nightclubs or bars allowed in the development and establishments serving alcohol shall be limited to a maximum of 3,000 square feet.

RCS# 6320
12/06/04
5:39 PM

Atlanta City Council

Regular Session

04-O-1413

Z-04-79 REZONE FROM RG-3 TO PD-MU
1155-1175 LA VISTA ROAD
ADOPT AS AMEND

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

04-O-1413

04-0-1413

(Do Not Write Above This Line)

AN ORDINANCE Z-04-79

BY: ZONING COMMITTEE

An Ordinance to rezone from the RG-3 (Residential General-Sector 3) District to the PD-MU (Planned Development-Mixed Use) District, property located at 1155-1175 Lavista Road, N.E. fronting approximately 802 feet on the south side of Lavista Road beginning 149.21 feet from the southeast corner of Cheshire Bridge Road.
Depth: Varies
Area: 9.65 acres; Land Lot 5, 17th District, Fulton County, Georgia.
OWNER: CRANBROOK ASSOCIATES, L.P.
APPLICANT: LAVISTA REALTY PARTNERS, LLC
BY: CARL E. WESTMORELAND, JR., ESQ.
AS AMENDED

NPUE COUNCIL DISTRICT 6

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 08/16/04
Referred To: JLB & Janning
Date Referred
Referred To:
Date Referred
Referred To: DEC 06 2004

ADOPTED BY

COUNCIL

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Dec 1, 2004
Chair: JLB
Action: AS AMENDED
Fav, Adv, Hold (see rev. side)
Other: 225
Members: Carl E. Westmoreland, Jr., Esq., JLB, Janning

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

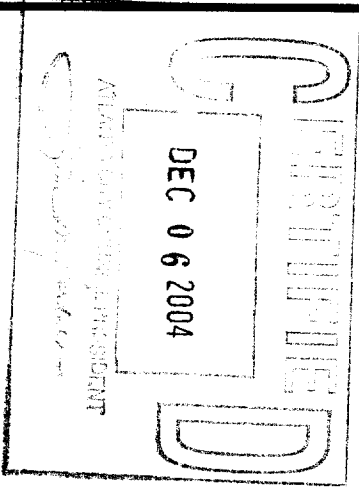
Members

Refer To

Refer To

CERTIFIED

- FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote



MAYOR'S ACTION

APPROVED
MAYOR
10/0/2004